

# ASSEMBLY, No. 5718

## STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED MAY 17, 2021

**Sponsored by:**

**Assemblyman DANIEL R. BENSON**

**District 14 (Mercer and Middlesex)**

**Assemblyman ANTHONY S. VERRELLI**

**District 15 (Hunterdon and Mercer)**

**Assemblywoman VERLINA REYNOLDS-JACKSON**

**District 15 (Hunterdon and Mercer)**

**Co-Sponsored by:**

**Assemblymen Giblin, Thomson and Assemblywoman McKnight**

**SYNOPSIS**

Permits counties to operate airports as county utilities; provides that bonds for county and municipal airport purposes be issued in accordance with provisions of "Local Bond Law."

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 12/2/2021)**

A5718 BENSON, VERRELLI

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1 AN ACT concerning the financing of airports operated by counties  
2 and municipalities and amending various sections of the Revised  
3 Statutes.

4  
5 **BE IT ENACTED** by the Senate and General Assembly of the State  
6 of New Jersey:

7  
8 1. R.S.40:8-3 is amended to read as follows:

9 40:8-3. a. The governing body of any county may acquire, by  
10 lease or purchase, and establish, construct, own, control, lease,  
11 equip, improve, maintain, operate, and regulate airports or landing  
12 fields for the use of airplanes and other aircraft within the limits of  
13 such counties, and may use for such purpose or purposes any  
14 property, owned or controlled by such county, suitable therefor,  
15 provided that the provision or performance of goods or services in  
16 connection with the operation, management, or administration of an  
17 airport shall be done pursuant to the "Local Public Contracts Law,"  
18 P.L.1971, c.198 (C.40A:11-1 et seq.) and any supplements thereto.

19 b. A county may maintain, operate, and manage an airport or  
20 landing field as a public utility of the county and, for that purpose,  
21 shall keep the accounts of the airport separate and distinct from any  
22 other accounts of the county.

23 (cf: P.L.1999, c.440, s.42)

24

25 2. R.S.40:8-5 is amended to read as follows:

26 40:8-5. Private property needed by any municipality for an  
27 airport or landing field shall be acquired by purchase if the  
28 municipality is able to agree with the owners on the terms thereof,  
29 and otherwise by condemnation, in the manner provided by the law  
30 under which the municipality is authorized to acquire real property  
31 for public purposes other than street purposes, or, if there be no  
32 such law, in the manner provided for and subject to the provisions  
33 of **【chapter 1 of the title Eminent Domain (s. 20:1-1 et seq.)】** the  
34 "Eminent Domain Act of 1971," P.L.1971, c.361 (C.20:3-1 et seq.).  
35 The purchase price or award for real property acquired for an  
36 airport or landing field may be paid for by appropriation of moneys  
37 available therefor or wholly or partly from the proceeds of the sale  
38 of bonds of the municipality, as the governing body of such  
39 municipality shall determine. Such bonds shall be authorized and  
40 issued in accordance with the provisions of **【article 1 of chapter 1**  
41 **of this title (s. 40:1-1 et seq.)】** the "Local Bond Law,"  
42 (N.J.S.40A:2-1 et seq.).

43 (cf: R.S.40:8-5)

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45 3. R.S.40:28-4 is amended to read as follows:

**EXPLANATION – Matter enclosed in bold-faced brackets **【thus】** in the above bill is not enacted and is intended to be omitted in the law.**

**Matter underlined thus is new matter.**

